

In compliance with Applicant's duty of disclosure under 37 C.F.R. § 1.56 and in conformance with 37 C.F.R. §§ 1.97-1.98, Applicant hereby submits the following references for consideration by the Examiner. Copies of the references, except the cited U.S. Patents, are enclosed along with a completed copy of Form PTO-1449. Copies of the cited U.S. Patents are

not being supplied pursuant to the amendment of the rules presented in the U.S. Patent and Trademark Office Official Gazette Notice dated October 12, 2004.

I. DISCLOSURE

A. U.S. Patents

<u>Patent No.</u>	<u>Inventor</u>	<u>Issue Date</u>
5,979,238	Boege et al.	11/09/99
6,049,992	Freitag et al.	04/18/00
6,349,481 B1	Nelle	02/26/02

B. Foreign Patents

<u>Reference No.</u>	<u>Country</u>	<u>Pub. Date</u>
2 249 936 A	W. Germany	04/18/74
196 11 983 C1	Germany	07/31/97
197 00 367 A1	Germany	07/16/98
199 14 311 A1	Germany	10/05/00

II. DISCUSSION

A. German Reference No. 2 249 936

Base solely on the drawings, the '936 patent reference is pertinent because it appears to disclose a support for a position measuring device. The '936 patent reference was cited as an A-type reference in a Search Report for a corresponding Patent Cooperation Treaty patent application. The '936 patent reference was cited in an Examination Report (copy enclosed) for

the corresponding Patent Cooperation Treaty patent application. An A-type reference provides technical background information and is not pertinent to patentability.

B. German Reference No. 196 11 983

Base solely on the drawings and the attached English language Abstract, the '983 patent reference is pertinent because it appears to disclose a flexible strip for position measuring devices, wherein the flexible strip includes two flexible strips joined to one another. It is believed that U.S. Patent No. 5,979,238 corresponds to the '983 patent reference.

C. German Reference No. 197 00 367

The pertinence of the '367 patent reference is discussed at page 1 of Applicant's Specification. Base solely on the drawings and the attached English language Abstract, the '367 appears to disclose a device and method for aligning a tape measure of a length measuring system. It is believed that U.S. Patent No. 6,049,992 corresponds to the '367 patent reference.

The '367 patent reference was cited as an A-type reference in the previously mentioned Search Report for a corresponding Patent Cooperation Treaty patent application. The '367 patent reference was cited in the previously mentioned Examination Report for the corresponding Patent Cooperation Treaty patent application.

D. German Reference No. 199 14 311

The pertinence of the '311 patent reference is discussed at page 1 of Applicant's Specification. Base solely on the drawings and the attached English language Abstract, the '311 appears to disclose a spacer that supports a scale or a scale carrier of a length measuring machine. It is believed that U.S. Patent No. 6,349,481 corresponds to the '983 patent reference.

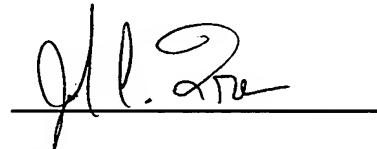
The '311 patent reference was cited as an A-type reference in the previously mentioned

Search Report for a corresponding Patent Cooperation Treaty patent application. The '311 patent reference was cited in the previously mentioned Examination Report for the corresponding Patent Cooperation Treaty patent application.

III. CONCLUSION

It is believed that none of these references, alone or in combination, disclose or suggest the invention claimed. However, Applicant wishes to make it clear that the disclosure of the above references is in no way an admission that they qualify as prior art. It is Applicant's desire, however, to have these references available in the record for both the Examiner and the public to see. Applicant therefore requests that the Examiner review the entire disclosure of each reference and make the above-listed references of record.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "J.C. Freeman", is written over a solid horizontal line.

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FORM PTO-1449	SERIAL NO. 10/524,170	CASE NO. 10338/16
LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT	FILING DATE February 8, 2005	GROUP ART UNIT Unassigned
(use several sheets if necessary)	APPLICANT(S): LUDWIG BÖGE	

REFERENCE DESIGNATION
U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER <small>Number-Kind Code (if known)</small>	DATE	NAME	CLASS/ SUBCLASS	FILING DATE
	A1	5,979,238	11/09/99	Boege et al.		
	A2	6,049,992	04/18/00	Freitag et al.		
	A3	6,349,481 B1	02/26/02	Nelle		

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER <small>Number-Kind Code (if known)</small>	DATE	COUNTRY	CLASS/ SUBCLASS	TRANSLATION YES OR NO
	A4	2 249 936 A	04/18/74	W. Germany		NO
	A5	196 11 983 C1	07/31/97	Germany		YES
	A6	197 00 367 A1	07/16/98	Germany		YES
	A7	199 14 311 A1	10/05/00	Germany		YES

EXAMINER INITIAL	OTHER ART – NON PATENT LITERATURE DOCUMENTS (Include name of author, title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date page(s), volume-issue number(s), publisher, city and/or country where published.)	

EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.